

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:15-00070

JOHN STANLEY FORD

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On June 14, 2019, the United States of America appeared by Ryan Saunders, Assistant United States Attorney, and the defendant, John Stanley Ford, appeared in person and by his counsel, John Carr, for a hearing on the petition seeking revocation of supervised release and amendments thereto submitted by United States Probation Officer Dylan Shaffer. The defendant commenced a three-year term of supervised release in this action on July 20, 2016, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on February 1, 2016.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant illegally used controlled substances in each of the instances set forth in the petition, consisting of the use of marijuana on or about August 25, 2016, as reflected in a positive urine specimen submitted September 1, 2016 and the defendant's admission thereof, the use of Opana without a prescription as admitted by the defendant on October 3 and 17, 2016, and the use of heroin three or four times the week of October 30, 2016, five or six times prior to the week of November 4, 2016, and on a daily basis on or around November 16, 22 and 28, 2016, each as admitted by the defendant, plus the use of cocaine, codeine and morphine, for each of which he tested positive on November 7, 2016, and the use of the same plus hydromorphone, for each of which he tested positive on December 7, 2016; (2) the defendant failed to participate in a substance abuse program as directed by the probation officer by failing to attend weekly scheduled individual substance abuse treatment sessions on October 13, 18, 20, and 27, November 1, 3, 8, 15, 17, 22, and 29, and December 1 and 7, 2016, and by leaving the Highland Hospital detoxification unit against medical advice

three days after having been sent there by Prestera, at whose facility he arrived under the influence of drugs on November 23, 2016; and (3) the defendant committed the felony offense of voluntary manslaughter on April 30, 2017, to which he pled guilty in the Circuit Court of Kanawha County, West Virginia on May 6, 2019; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

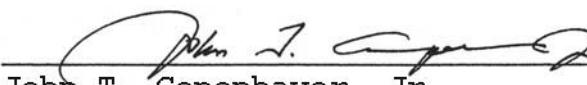
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of

TWENTY-FOUR (24) MONTHS, to run consecutively to the sentence imposed by the Circuit Court of Kanawha County for the defendant's voluntary manslaughter charge, the sentence for which is yet to be determined, to be followed by no term of supervised release.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: June 18, 2019



John T. Copenhaver, Jr.
Senior United States District Judge